FIFTY-SECOND YEAR

MISTORIAN'S OFFICE.

THE SATURDAY NEWS

NUMBER 173

Allen Remains Firm as a Rock

Molorman Who Claims to Have Recognized Mortensen on The Railway Track Could Not be Shaken in His Positiveness and Withstood Further Rigid Cross-Examination By Mr. Stewart-Warm in Crowded Court Room,

STATE MAY REST CASE BY TOMOR-ROW NIGHT.

The prosecution in the Mortensen-Hay murder case seems to be drawing to a close sooner than was originally anticipated. To the "News" this afternoon Dist. Atty. Eichnor said he thought the state would rest its case tomorrow evening, and that the defense would begin the morning following.

fendant.

was sustained.

ments or threats were made to the de-

Counsel for defense asked witness if

he was in the county attorney's office

when Mrs. Mortensen was questioned. Mr. Eichnor objected and the objection

Witness then stated that Mortensen

said after paying Hay he did not know

how much money he had, but something near \$100. Mr. Cum-muck stated that during the con-versation Mortensen said he had the

money in three jars in the cellar, and one jar in the pantry. When questioned closely as to how much he had in each place, Mortensen replied that he had

about \$2,400 in the cellar, and not quite

\$500 in the pantry.
"Mr. Christensen then said," contin-

ued the witness, "if you had \$2,400 in the ceffar and \$500 in the pantry, then

you only had \$2,900, and how could you pay Hay 3,800 out of \$2,900?" Morten-

Court then adjourned until 2 p. m.

Afternoon Session.

of the court this afternoon the court-rom who crowded with spectators,

principally ladies. Judge Morse had or-

dered an electric fan placed in such po-

sition as to give the jury a cool breeze during the sessions hereafter and while the noon recess was being taken Coun-ty Clerk James had the machine put

in position ready for the afternoon.

Mr. George E. Romney was recalled and was questioned by Mr. Eichnor as to a conversation witness had with Peter Mortensen on Dec. 5, 1901, at the office of the Pacific Lumber company, when the defendant enumerated the

when the defendant enumerated the parties from whom he expected to re-

ceive the money with which to pay his

the witness answering the question but Judge Morse overruled the objection. Defendant had then said he expected

to get the money as already published in these columns, the aggregate amount

memory was being tested by severe questioning. Mr. Stewart suggested to the witness that the public prosecutor had been coaching him in the matter of dates and Mr. Romney denied it.

Mr. Eichnor took occasion to ask:

"Mr. Romney, if there was a mistake

made as to the date of the conversation. being the 5th of December, it was my

Counsel for defense objected strenu-ously to the "suggestion," and there promised to be a little wrangle until Judge Morse quietly said:

"Proceed, gentlemen."
Joseph W. Summerhays of Forest
Dale was the next witness. He testified that Mortensen worked for him in

December on one job. It was com-

Mr. Stewart interrupted to ask if the

vitness entered into a written contract

with Mortensen. Witness had an ex-planation to make, but counsel insist-

ed on a direct answer. The court or dered the witness to so answer. Wit

ness finally said there was no written contract. The amount of the job was

\$205, of which \$100 was paid to the 16th

W. A. Overbeck of the Western Mo-

line plow company, testified that he knew Mortensen and that in December

he contracted business with the de

fendant in the construction of an office.

The amount of the contract was \$341.10. On Dec. 14 he paid defendant \$196.10. He said after the 16th he

paid \$49, but this latter part was ruled

M. R. Taylor, chief clerk to the gen-

eral master mechanic of the Rio Grands Western, testified that he had

known the accused for about 16 months. Mr. Taylor was excused for

a few moments and Mr. Summerhays

recalled. He said it was on Dec. 16 that he paid Mortensen the 190. Mr. Taylor was recalled and testified

that he made out a certain check. The

Mrs. A. L. Matthews was called by

the state and testified that she has known the defendant for about a year

Mr. Elchnor handed her a paper and asked if she had ever seen it before.

It was the check mentioned by Mr. Taylor. Mrs. Matthews said she gave

the check to Mortensen between the 1st and 15th of December, 1901.

amount of the check was \$250.

being \$3.160.

bill would be paid.

fault, was it not?"

pleted in December.

Mr. Barnard Stewart objected to

There were perhaps many mat-

Long before the hour of reassembling

did not explain.

No cross examination

when the trial of Peter Mortensen, Attorney Christensen, Deputy Sheriff Raleigh and a police officer or two were there. Witness said that no induceupon a charge of murder in the first degree, was resumed this morning, the court room of the criminal division of the Third district court was well filled with spectators. The proceedings were tiken up where they were left on Friday evening, with John Allen, the street car motorman, in the witness box under cross-examination by Mr. C. B. Stewart. Mr. Allen had with him this morning his memorandum book in which he makes daily entries of the number of hours he works, and turning to the account of last December he that month on the Calder's Fark line. In his entries of days upon which he had worked Mr. Allen had written the names of the men for whom he had

Mr. Stewart asked the same or similar questions to those asked on Friday afternoon. They were then asked what seemed to be scores of times and the performance was repeated today. In the main, however, the witness adhered to his 10 mer testimony. (
Before 10:30 the courtroom was

crowded and the warm weather made the use of fans necessary. In an endeavor to get witness to say that he had while making a trip from Calder's park, stated to a fellow work-man that he was not sure who the man was that he saw on the track on Mon-day night, Mr. Stewart ran up against a snar. Mr. Allen turned to his book and said:
"I laid off that day."
With reference to other dates Mr.

Allen was most positive that he had was not sure the man he saw was Mortensen

Mr. Stewart asked witness if he had not seen or sent someone to see Mr. Nuon, the street car man to whom he said to have made such a statement. Winess said no. When Mr. Eichnor asked Mr. Allen Mr. Henry Mortensen had not been

to see him and asked him to "change his story," Mr. Barnard Stewart arose asl took an exception upon the ground Stewart the witness said that Morten-sen had probably handled during the that the prosecution was attempting to populate the jury by making it appear that Mr. Henry Mortensen and the deters of the defendant's business that witness did not know of. Witness could not say that, on Dec. 5, he had any doubt that Mortensen would be fess were using "bad and illegal methods" in this trial. able to pay his bill, but he made a memorandum of the amounts and the places from which the money was to come so as to reassure himself that the

Tou may ask your next question, aid Judge Morse.

Again Mr. Stewart cross-questioned the witness, after Mr. Allen was excued, and at one time asked:

Did you not, on the 20th of December, on some other time 20th of December, on some other time. be, on some other time, make the statement that you were not sure it was Mortensen you saw that night on the

No! Neither then, or at any other ime!" positively answered the witness. This ended his testimony. Et-Chief of Police Hilton was realled, but upon being asked as to what

defining the prisoner wore on Dec. 18, ir. Stewart objected and was sus-tained. The witness was therefore ex-Deputy County Surveyor McAllister

Was recalled and said that the dis-tances in the Forest Dale map, the accrtaining of which he had not forneily superintended, had since been decked up personally by himself, and he had found them all to be correct exept in one minor detail.

Mr. Eichnor offered the map in evi-

dence; the defense objected; overruled; and the map was marked as one of the enhits in the case.
Mr. Eichnor here requested that the court and jury go to Forest Dale and

the premises and grounds, the map of which had been accepted a wi-

Mr. C. B. Stewart objected to having this done at the present time, and Judge Morse said he would consider Mr. Eichnor's request. Justice Dana T. Smith was called by he prosecution when court re-convened after recess. Judge Smith testified that

he was acquainted with Mortensen, and the latter appeared in his court cour on supplementary proceedings.
Mortensen, he said, was sworn, and
during his examination he said he had
no money, but that he had money owing him from several contracts. Judge
Smith was positive that Mortensen
swore he had no money.
Upon cross examination by Barnard
Stewart, the witness testified that there
was a judgment by default in his court

was a judgment by default in his court gainst the defendant, and that the Luke men were pushing the case.
Sharp Ottinger, assistant yard man
at the Pacific Lumber company, was
called and testified that he was well
acquainted.

toquainted with James R. Hay.

When asked if he saw Mr. Hay
reighed counsel for defense objected. but it was overruled. The witness then said he did not see him weighed. Deputy Sheriff John B. Cummock was Deputy Sheriff John B. Cummock was tworn and testified that he saw Morisness on the evening of Dec. 19, and tonversed with him about the money he hald James R. Hay. He said Mortenten told him what money he had on hand.

Before witness could state what was said, he was interrupted by Harnard stewart, who asked witness who was interrupted by the said of the

he has known Mortensen for about three years. He said Mortensen did resent at the conversation. Mr. Cum-mock said that Sheriff Naylor, County check. It was dated Nov. 25, 1901. some work for him to the amount of \$50, and he paid the defendant by a

SHRINERS ARRIVE

IN SAN FRANCISCO.

terday and several thousand more will

sleeping cars, two dining cars and one baggage car made up the train. There were 218 members in the party, the greater part of them being from cities of New York, Connecticut, Massachusetts, Rhode Island, New Jersey and setts, Khode Island, New Jersey and Pennsylvania were also represented. The train was known as the "Mecca imperial special." On other trains Isis temple of Salina, Kansas, sent 65 members; Damascus and Ismallia of Buffalo sent 104; Elzegal of Fargo, N. D., is represented by 25 members; Moila of St. Joseph, Abdallah of Lea-

venworth and Za Gazig of Des Moines sent a party of 145 members; Moolah of St. Louis came in with 125 members; Al

St. Louis came in with 125 members; At Koran of Cleveland sent 115 members and Acca temple of Richmond joined the host with 50 members.

Imperial Potentate Phillip Shaffer has arrived with Mrs. Shaffer and party. He was accompanied by Past Imperial Potentates Wm. B. Ellish of Cincinnati and Lou B. Windsor of Grand Rands Michigan.

Rapids, Michigan.

The delegations for the Zura temple of Minneapolis, El Kafir temple of Cedar Rapids, Tangier temple of Omaha and Sessetris temple of Lincoln are due today.

Informal receptions and entertain-ments are being held today. Tomor-row the imperial council will meet and there will be two great parades. LIGHTNING STRIKES A CHURCH.

High School Were Being Held. St. Joseph. Mo., June 9 .- During the graduating exercises of Odell, Neb., high school, at the first Methodist church, lightning struck the edifice, demolishing a tower and rendering sev-eral spectators and graduates uncon-

At Time Graduating Exercises at

scious. The building was soon aftre and the lives of many people were in A large tank of water afforded prompt and effective means of extinguishing the flames. It is believed no death will result although several women were removed from the church to their homes suffering severely from

Fort Monroe Hotels Must Move.

Washington, June 9.-The secretary of war has notified the owners of the Hygica hotel and other private establishments on the military reservation at Fort Monroe, Va., that the land oc-cupied by them is urgently needed for military purposes and their buildings and contents must be removed within a 'reasonable time.'

This action is taken on the recommendation of a board of army officers appointed to consider the subject and in accordance with an opinion given by Judge Advocate Gen. Davis as to the law in the case. It is the purpose of the department to extend the batter-les at this post and to erect a number of new buildings for purely military

To be Major-Generals.

Washington, June 9.—The president today sent the following nominations to the senate. Army—Brig.-Gens. John C. Bates and George W. Davis to be major generals. Colonels to be Brigadier Generals— Theodore P. Wint, Sixth cavalry: Frank

D. Baldwin, Twenty-seventh infantry; Jesse M. Lee, Thirteenth infantry; Wm. H. Carter, assistant adjutant general. Major to be Brigadier General—Tas ker S. Bliss, commissary. Surgeon general for a period of four

years with rank of brigadier general— Col. Wm. H. Forwood, assistant surgeon general. Western district of Texas: Silas A. Mc Farland, Iowa, now consul at Notting-ham, England, to be consul at Reichen-

berg, Austria: Frank W. Mapin, Iowa, now consul at Reichenberg, to be con-Cross-questioned by Mr. Barnard Tornado Causes Death of Two Men. Columbus, Ga., June 9.-A heavy wind and thunder storm passed over this summer anywhere between \$10,000 and city last night, causing the death of two men perhaps fatal injury of a third,

and did considerable damage to prop-THE DEAD,

J. J. Willis, carpenter, Louis McLain. THE INJURED. M. C. Cochran.

Mr. Stewart's questioning at one point ruffled Mr. Romney's patience, but the witness quickly recovered himself and answered the questions put by Mr. Stewart in a cool manner. The incident happened when Mr. Romney's Willis was struck by lightning while standing under a tree in company with Cochran. The same bolt killed Mc-Lain, who was just across the river in Several dwellings were struck by lightning or unroefed by the storm.

Drowned in Ohio,

Chillicothe, O., June 9 .- While returning from a picnic at a late hour last night in a rowboat on the Ohio and Erie canal, Howard Faucett, a traveling salesman, and Minnie Buckart were drowned by the boat capsizing. Six

SECOND ASCENT OF THE SOUFRIERE

Kingston, St. Vincent, Saturday June 7.—During the great eruption of Mont Pelee, Island of Martinique, yesterday morning, the detonations were heard in the neighboring islands and heavy clouds of smoke issued simul-taneously from Soufriere volcano on this island, which alarmed the inhabit-

The !sland of St. Lucia was obscured by dust to a distance of three miles and a steamship experienced difficulty in finding the harbor of Castries.

At 2 o'clock in the afternoon of Fri-day pitch darkness prevailed here. The three Americans, Prof. Jagger, the geologist of Harvard university: Dr. Hovey, assistant curator of the Museum of Natural Hstory, New York, and George C. Curts, who ascended the Soufriere, May 31, made another ascent on Thursday. on Thursday. They entered a dense, dusty fog which impeded their progress as they made their way up the precipitous trail, around the awful citifs, with extraordinary courage and perseverance, and once more reached the edge of the crater on the east side, reaching an altitude of 3,200 feet above the sea, carrying with them a baro-meter. They heard water bolling and spattering in the depths of the crater. but nothing could be seen through the fog though the party waited a con-siderable time. The ascent occupied four hours. The return of settlers to ore furtereers

Prof. Jigger, who is of the opinion that the crater is continuing active, and may emit poisonous gases at any moment without warning and cause the death of many people from asphyxia.

Boers Surrending Rifles.

London, June 9.-Lord Kitchener in a dispatch from Pretoria, under today's date anonunced the surrender on Saturday and Sunday of 2,500 rifles of which 448 were handed in by Cape Colony rebels. The remainder were principally from Gen. Dewet's men. The British commander adds that the cheers given by the Boers for King Edward were hearty.

mittee of officers to receive the visiting graduates were kept busy. Among the early arrivals were Gen. Jos. Breckin-ridge. John Saunders and John Moon-ey and Cols. John M. Carson and Asa ey and Cols, John M. Carson and Resider Gardner; Gen. Menry C. Corbin, Gen. James Longstreet, Capt. Chadwick of the naval war college; Gen. Bates, commanding department of Missouri; Gen. Greeley, chief of signal New York, June 9.-The meeting of

Prisoners Kill Three Guards.

MONDAY, JUNE 9, 1902. SALT LAKE CITY, UTAH.

Two of Most Desperate Men in Oregon Pententiary by Some Means Secure Rifles and Make Their Escape -Are Located and Probably Will be Killed.

Salem, Ore., June 9 .- Two desperate prisoners, Harry Tracy, sentenced to 20 years, and David Merrill, a 13-year man, both serving sentences for assault and robbery from Multnoomah county, made an outbreak from the penitentiary this morning, after killing three guards, Frank Ferrell, shop guard, S. R. Jones and Ben Tiffany,

fence men.

The prisoners had just marched into the foundry for work at 7 a. m., when Tracy suddenly appeared armed with a rifle, shot Guard Ferrell, killing him almost instantly. Ingram, a life prisoner, attempted to take the rifle from Tracy when Merrell shot Ingram through the leg shattering it. Other prisoners were forced at the point of a pistol to take the ladder to the wall when the two armed men escaped. Getting outside they shot Guard Jones dead at a distance of 150 yards. Guard Tiffany after being wounded jumped off the fence and followed the men shooting at them when they killed him. The prisoners then escaped into the woods. A posse of 40 men is out after the prisoners and have them lo-cated in the woods, half way be-tween Salem and the reform school. The men are desperate and a battle is expected. The posse is headed by Shertiff-elect B. B. Colbath and officers from the prison. The prisoners are armed with two rifles and two re-The arms are believed

have been thrown over the stockade Sunday night by friends among excur-

sionists who came from Portland,

Ingram, the wounded prisoner, was sentenced from Linn county for killing his brother in 1891.

WHO DESPERADOES ARE.

Portland, Ore., June 9.—Harry Tracy was arrested in Portland on the evening of Feb. 6, 1899, after an exciting battle with Detective David Weiner. Tracy, who was wanted for burglary was walking along the street when De tective Wiener met him. The walked along the street together when they reached the corner of Fourth and Market streets, Tracy seeing the southbound Northern Pacific train pulling up Fourth street, said : "I guess I'll take this train; now so

"I guess you wont," said the detec-tive, pulling his revolver. Tracy fired two shots at the detective, who re-turned the fire. Tracy jumped into the engine and pointed his revolver at the head of the engineer, who speedily held up his hands. Tracy ordered him to go ahead at full speed, but the conto go ahead at full speed, but the con-ductor stopped the train. Seeing that his plan had been frustrated. Tracy jumped from the engine and started to run. The neighborhood had been thoroughly aroused, and after half a dozen shots had been fired at the fugitive, one of which took effect behind his ear, he was lodged in jail. A month afterward while being taken from jail afterward, while being taken from jail to the courtroom, he suddenly drew a revolver and exchanged several shots with the jailer, but was finally ower-Dave Morrell was arrested on Sun-

'cb. 5, 1899, in a house where he had cashed a large quantity of plunder Morrell, who had committed numerous robberies with Tracy, gave information which led to the location of the latter.

BAT MASTERSON DISCHARGED

He, J. E. Sanders, Leopold Frank and James Sullivan, Arrested On Charge of Swindling G. A. Snow by Means of "Brace" Came of Faro, Re-arraigned and Discharged

having swindled George A. Snow by fined \$10 for carrying a concealed weameans of a "brace" game of faro, and

COMING BACK AT UTAH MAN

"Bat" Masterson, the Notorious Gambler Suing George A. Snow For Ten Thousand Dollars-Says He is a "Squealer" And That He Proposes to Get Even.

(Special to the "News.") New York, June 9 .- Process servers

were looking for George A. Snow of I'tah, a guest in the Waldorf-Astoria, and the man who caused the arrest of "Bat Masterson" and two others on a charge that they robbed him of \$17,000 in a "brace" game of faro in Chicago, As papers in the civil suit for \$10,000 damages brought by Masterson could not be served legally on Sunday the process servers were simply trying to "get a line" on Mr. Snow. Capt. Titus said yesterday that George A. Snow of

Salt Lake City would appear today it the Central Street court against "Bat" Masterson, J. C. Sanders, James Sullivan and A. P. Frank, the men who are accused of getting \$28,000 from him in a crooked faro game,

A "News" reporter found Snow at
the Waldorf-Astoria. He said that he

had no intention of making a complaint against anybody, and that he had never seen Masterson until he met him at police headquarters on Friday.

"Is it true that you were swindled out of \$28,600?" was asked of Mr. Snow. "I was requested to do a favor as a matter of friendship, and I got the worst of it," said Snow, "I was willing to expose a pack of crooked gamblers read the papers you'd think I was the

A Herald special of this morning credits Masterson 13 saying about

"This Snow is a sucker for fair. I've got his record from a Salt Laker who is stopping at the Vendome. He told me Snow is a big business man who makes his headquarters at the Grand Pacific hotel, Chicago. He's here organizing an implement manufacturing combine. He has a son 16 years old and is about 40 years old himself. He's no sport. When we met him at the police headquarters he was tickled to death to see us pulled in. He's a sucker all right and was lucky to get trimmed of only \$28,000. I'll trim him of \$10,000 more or eat my hat." A Tribune special quotes Masterson

'This George Snow is no baby. He's got a son 16 years old, and must be 40. He's a great big fellow, who looks like Tom Foley, only his face is not so refined as Tom's. Snow has got a

"I never knew Snow as a sport. He can't be. He's simply a squeater. I'll teach him a lesson. I'll press my damage suit against him and follow him to any part of the world, if necessary. No man has dared yet to crooked, and no man ever will do it and

THERMOMETER AT 94 DEGREES, SMASHING ALL EARLY JUNE RECORDS.

as follows:

Today is not only the hottest in the , when the mercury rose to 92. year, but the hottest of any day in the first decade (ten days) for the month of June in the local meteorological record. At 3 p. m., today the mercury registered 94 degrees and was still climbing, with the promise of reaching half a degree higher anyway, and perhaps to 95 degrees. The next hottest June day on record, was June 2, 1881,

West Point, N. Y. June 9,-The cen-

tennial anniversary exercises of the United States military academy began today and will continue until Thursday

when the present first class cadets, 54 members, will be graduated. The com-

Mr. Murdoch of the weather office remarks that an extremely hot spell like this frequently brings on thunder showers, though present indications point towards steady warm weather. There is of course a rush for the lake and for Lagoon and other resorts, where there is a possibility of keeping cool, and the transportation companies are doing a big Monday business

THE WEST-POINT corps;, Quartermaster-General Luding-CENTENNIAL.

terson and Sternberg. The first and second classes of cadets emonstrated to the board of visitor today the manner of pontoon and spar

the South Park branch of the Colorado & Southern railroad, two miles north of Valverde, between the fishermen's train returning from Patte canyon and

the westbound passenger train. The injured are: Samuel Lovely, engineer on the fish train; internal injuries and shoulder

wrenched.
M. Elliot, firemen on westbound train,
ankle dislocated and arm injured.
Al Latham, engineer on westbound

Al Latham, engineer on westbound train, leg brulsed.
J. J. Hansinger, Wells-Fargo Express messenger, leg bruised.
The Colorado & Southern officials attribute the collision to the failure of Engineer Latham to follow orders as the fish train had the right of way. No passengers were hurt.

English Polo Team Wins.

Hurlingham, Eng., June 9 .- In the polo tournament the English team scored their first goal in the first 10 minutes. The Americans scored a goal in the first half of the second period. England won by 6 goals to 1.

Barned Himself Up.

Bay City, Mich., June 9.—After saturating his clothing with kerosene oil, Jos Rejch set fire to himself in the Catholic church at Fisherville. His charred remains were discovered in front of the altar Saturday. Hele had front of the altar Saturday. Holes had been burned through the floor by his blazing body. Rejch, who was 39 years of age, was the organist of the church and a teacher in the church school. It is supposed he was temporarily insane.

Best Eastward Record.

Plymouth, Eng., June 9-The, North German Lloyd steamer Kron Prinz Wilhelm, Capt. Richter, which sailed rom New York, June 3, for Cherbourg and Bremen, via this port, arrived here this morning after a passage of 5 days 11 hours and 32 minutes to Eddystone ight at an average speed of 23.53 knots per hour, which is the best eastward record for steamships thus far made across the Atlantic.

Washington, June 9,-Soon after the senate convened today a report was made from the committee on Indian affairs of the investigation made by that committee of the conduct of W. A. Jones .commissioner of Indian affairs, with respect to the leasing of certain Indian lands of the Standing Rock reservation, S. D. The committee reported that there were no foundations for the charges made and that the conduct of Commissioner Jones was emissible unsatisfied. The report was tirely unselfish. The report was

Mr. Simmons (N. C.) then addressed senate in support of the bill for the establishment of a national forest re-serve in the southern Appalachian mountains. He said the establishment of the ten forest reserves in the west was made from the public domain while cash would have to be paid for the proposed reserve. He did not believe, however, that there was any difference between appropriating cash from the treasury and appropriating property of the government. Mr. Simmont.

Mr. Simmons said it had been suggested that there might be some "job" in the pending bill. This he knew was not true and there was no foundation in fact for the suggestion. The meas-ure was essentially national in character and it was advocated as a na

Washington, June 9 .- When the house New York, June 9.—William (Bat), were held on an affidavit made out by Masterson, J. E. Sanders, Leopold Frank and James C. Sullivan, who were arrested Friday night on the charge of large graphernalia, were arranged to large graphern tion three, which made the killing of foreign ambassadors and ministers punishable with death, and section 13, all prosecutions under the act that the officers to be protected by its provisions are engaged in the prformance of their official duty at the tme the offense is The roll was called. committed. notion was lost, 70 to 121. The vot was then take nupon the passage of the bill, Mr. Lanham of Texas, demandin gthe ayes and noes.

HAD NINE LIVES.

Horse Knocks Bellboy Off Bicycle Then Rolls on Him.

There was an acident on East Temple street near the Kenyon at 9 o'clock this morning which fairly raised the hair of those who witnessed it. "Don," a 14-year-old bell boy at the Kenyon was riding down the street on a bicycle when he was run into by a horse driven by an expressman named Henderson. When the animal struck the boy both fell with the horse on top of the lad. Owing to the momentum the horse as it slid along the pavement. Then with a plunge the animal regain-Then with a plunge the animal regained its feet of attempted to run away down the street. During the process the four wheels of the wagon passed on either side of the inert body. No time was lost in picking up the apparently dead body of the boy and carrying him into Smith's drug store. Dr. Witcher, who witnesed the accident, proceeded to examine the subject and to his great surprise there was not a to his great surprise there was not a bone broken, although the boy was literally a mass of bruises as far as his back and legs were concerned. After resting in the drug store for some time Don limped off, stating that

he was going home to lie down.
"It was one of the most miraculous escapes that has come under my no tice," said Dr. Witcher afterward "How he ever got off as easily as I did is more than I can say, but he w be pretty sore for a week to come.'

GRAND JURY EMPANELED. Investigating the Marder of Ex: Shers riff Strong-Frank Connors Accused.

(Special to the "News.") Provo, June 9 .- The grand jury was

empaneled today and given the usual instructions by Judge Booth. The jury is now investigating the case of Frank Conners, the young man who is accused of being the murderer of William Strong, the ex-sheriff of this county, who while acting as a special police officer on the evening of June 27, was shot down by one of a band of ruffians. Conners has been serving a term in fall on the charge of housebreaking and now he will have to answer to the cray. now he will have to answer to the graver charge. The grand jury is made up of the following. Joseph E. Wilkins being chairman: C. W. Houtz, Joseph E. Wilkins, Thomas W. Allen, Alrain W. Finley, Jones Holdsworth, James A. Daniels and W. M. Hunter.

DISTRICT ATTORNEY BUSY.

Mr. Lippman States He Has Not Yet Decided Upon a Deputy.

United States Dist. Atty. Lippman was at his desk this morning busily engaged in the discharge of the functions of his new office. Mr. Lippman states that he has not yet decided upon a is that the plum will be handed to D. N. Straup, one of the members of the firm with which Mr. Lippman is as-

Miners' Strike Getting Serious.

Tightening Up Process Continues-All Classes of Trades Unions Taking a Hand in Helping the Strikers-Railroad Men Refuse to Handle Trains Carrying Deputies - Women Attack Supt. Kudlick on Streets of Freeland.

Wilkesbarre, Pa., June 9.-The "tigh- | whether the men are to man the pumps ening up" process which has been in progress since the anthracite coal trike began four weeks ago today continues. All classes of trades unions

in the hard coal belt have taken a hand in helping the miners, and now the long predicted move of the railroaders in the region has been made. The decision of these men at the meetings held yesterday to refuse to aid the companies in their fight against the miners has encouraged the strikers

At Freeland yesterday the railroad men of the Delaware, Susquehanna & Schuylkill railroad refused to handle trains carrying deputies, coal and iron police or non-union men. The Lehigh Valley company men met at the same time and will not handle soft coal that may be wanted to displace hard fuel, and at Kingston the Delaware, Lackawanna & Western company employes protested against the hauling of soft coal and condemned the action of railroad conductors in acting as deputies. It is reported that 68 new men were, or be placed on guard duty. A crowd gathered near the colliery but no demonstrations were made. WOMEN ATTACK A SUPERINTEN-DENT.

Hazelton, Pa., June 9.—Supt. Kudilck of Coxe Brothers was attacked by wo-men on the streets of Freeland today, but was not injured.

About 800 strikers gathered today at Ebervale and about 1,000 at Jeddo to intercept traction cars carrying nonunion men to north side collieries Sheriff Jacobs was notined last night of the strikers' intention and accompanied by eight special officers, went to Free-land to prevent any demonstration.

Dist. Secy. Gallagher preceded Sheriff Jacobs. And persuaded the men to return to their homes.

A Persuade & Co. Index issued a state.

A. Pardee & Co. today issued a state-ment that they have no intention of starting up operations at Cranberry colliery under present conditions. It was reported last night that an ef-fort would be made today to resume work there. Unable to secure firemen and pump runners, J. S. Wentz & Co. will permit the Hazelbrook colliery to be flooded. Coxe's Stockton colliery is taken into the No. 5 colliery of the Susquehanna coal company at Nanti-coke early today. It is not yet known of firemen and pump men.

REFUSED TO OBEY STRIKE ORDERS

Five Thousand Miners in Virginia and West Virginia Go to Work-President Mitchell Goes to Meet Commissioner Wright-Latter is Non-Committal.

Middlesboro, Ky., June 9 .- About 5,000 | niners and coke workers in Buchanan ounty, West Virginia, and in Wise and Scott counties, Virginia, refused to obey strike orders and are at work.

MITCHELL TO MEET WRIGHT.

Wilkesbarre, Pa., June 9 .- President Mitchell left here at 11 o'clock today for New York, where he will meet Carroll D. Wright, United States commissioner D. Wright, United States commissioner though possessing no power under ex-of labor, this evening. He expects to sting conditions, as a patriotic citizen, return to this city tomorrow. Mr. Mitchell went to New York at the request of Mr. Wright. Mr. Wright, it is believed, will directly represent President Roosevelt. Mr. Mitchell said before leaving that he did not know what Mr. Wright wanted to see him for. It is not believed that the president or the commissioner of labor will interfere because they have no authority to do anything more than to investigate the

causes of the strike.

New York, June 9 .- Carroll D. Wright, United States commissioner of labor, said today that for him to tell whom he expected to see or what he intended to do might seriously interfere with his to do might seriously interfere with his investigation of the anthracite coal miners' strike. He said that sections 7 and 8 of the law under which the labor bureau is operated charged the commissioner to investigate and report on all labor disputes.

"ON Dutte," said Mr. Wright, "I cannot interfere or act as arbitrator. Although possessing no power under expenses.

President Roosevelt is interested in settling this trouble. He cannot interfere but can advise or suggest and the offl cial investigation may reveal chinks in situation which as yet been touched upon in the general report and upon which he may be able to act. He wants all the information obtainable and all energies of my department are being directed to that and. Perhaps we low the surface. I shall hold a conference this afternoon and don't anticipate I shall have any trouble in getting the information asked for."

PRICE "FAKE MARRIAGE" LEGAL.

Judge Johnson Decides That Clara Mathis and Owen M. Chesterfield, Alias Fuller, Were Duly Wedded by Mr. Nixon According to Law.

(Special to the "News.")

Price. Utah, June 9.-Judge Johnson opened the May term of the district court here today and proceeded at once to the disposal of the case brought by Clara Mathis against Owen M. Chesterfield (Fuller) for annullment of marriage. This is the famous "fake" marriage of which so much has been said, County Clerk Donaldson, who issued the license and Mr. Nixon, who officiated at the ceremony, were this morning brought into court as witnesses, the clerk had been given to understand that the license was wanted in good faith and warned them against any foolishness, witness was present

every way legal, Mr. Nixon was asked to marry the couple and did it by virtue of being a Seventy in the Church of Jesus Christ of Latter-day Saints, and in good faith, at the conclusion of the ceremony the groom asked Mr. Nixon if they were now husband and wife and received the reply, "If you are not you never will be by me."

Mr. Chesterfield thereupon declared that the license had not been made out in proper form and refused to give it up afterwards saying he had destroyed it. The testimony this morning as also that given by the parties litigant at the January term of court convinced his honor that the parties

were legally married and directed the petition of Miss Mathis to be dismissed with costs.

building together with the Schackelford and the Theater Saratoga, located in the Citizens' National bank building. That portion of the latter building oc-

cupied by the bank was damaged only by water. The contents of the sates

and deposit vaults remain intact.

By hard work the firement succeeded

in checking the flames and at 5:25 a.m.,

the fire was pronounced to be under

Chier Chadwick was injured in res-

cuing Mrs. Hart from one of the burn-ing buildings. The missing persons were tenants of the Arcade building.

The burned buildings were occupied by

offices and stores, among them being the postoffice, the Daily Saratogian, newspaper: the Western Union Tele-

graph company; Saratoga & Boston Telegraph company; Municipal Tele-graph and Stock company, Saratoga county treasurer's office and Theater

Saratoga.

The fire is believed to have caused

ONE BURNED TO DEATH AND MANY MISSING.

Saratoga, N. Y., June 9 .- One person | ing on Broadway and destroyed that was killed, one fatally injured, two others severely hurt and a number are reported missing as the result of a fire here early today. The property destroyed was valued at \$200,000, with estimated insurance of \$175,000. THE DEAD.

Mrs. Mable. THE INJURED.

Mrs. Owens.

Fire Chief Chadwick, burned about cad, fatally, it is feared. Mrs. Hart. Servant ghl. name unknown. THE MISSING.

Mrs. M. C. Hart. Mrs. Abern. David Howland and wife. Mrs. Morris. Miss Morris and Miss Ida Foster. Mrs. Mable, who was burned to death, as asleep in her apartments in the

five fatalities besides the death of Mrs. Mable. Search will be made for bodies as soon as the ruins are sufficiently The fire started in the Arcade build-

Cattle King Geo. Wright Dead. Covelo, Cal., June 9.—George E. Wright, the cattle king of Round valley, one of the most widely known characters in northern California, died this morning at his home here. He was possessed of great wealth and exercised much influence in this part of the state. He was involved in many lawsuits,

time was the central figure of a vendetta which resulted in a condition of lawlessness approaching border war-

Attempts were made to assassinate him, and the Round valley troubles, as they became known, were not suppressed until numerous crimes, including murder, had been committed in that chiefly over property rights, and for a section.

members of the order reached here yes-

Sea Francisco. June 9.—Special trains bearing Shriners, their families and triends are arriving hourly. Over 1,500

Mecca temple of New York, the parent of the order in the United States, organized and brought to this coast the largest excursion that has ever crossed the continent. Eight Pullman

Amalgamated Meeting Adjourned. the directors of the Amalgamated Cop-per company in Jersey City, called for today, was adjourned without day, there being no quorum present.

Following are on retired list: Gen. Sickles, Gen. Bell, Gens. Carpenter Daggett, Grierson, Hawkins, Mills, Pat

bridge building. Collision on Colorado & Southern. Denver, Colo., June 9 .- Four men were injured today in a head-on collision on